

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10288-RWZ
)	
JOSEPH BALDASSANO)	
)	

GOVERNMENT'S TO MOTION TO CONTINUE SENTENCING

Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves this Honorable Court to continue the sentencing of Joseph Baldassano from June 29, 2006 to a date after the sentencing of co-defendants Philip Albert, James Gardner, Jonathan Mitchell and Jared Knowlton, who are scheduled to be sentenced on July 12, 2006, and co-defendants Carlos Espinola and Joseph Allen, who are scheduled to be sentenced on August 15, 2005 and August 24, 2006 respectively.

In support of this motion, the United States avers that Joseph Baldassano may be needed as a government witness at the sentencing hearings for one or more of the remaining defendants. Although the United States does not, at this time, anticipate calling Joseph Baldassano as a witness at the remaining sentencing hearings, that may change depending upon the actions pursued by counsel for the remaining defendants or because of potential limitations placed on the use of Joseph Baldassano's trial testimony by the Court. Additionally, one or more of the counsel for the remaining defendant's may choose to call Joseph

Baldassano. Postponing Joseph Baldassano's sentencing until after all of his co-defendant's are sentenced allows Mr. Baldassano to receive recognition by the Court for any additional services rendered by Mr. Baldassano to the United States.

Conclusion

For the reasons stated above, the United States asks this Honorable Court to grant the motion to continue sentencing.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:/s/ David G. Tobin

DAVID G. TOBIN
Assistant U.S. Attorney